

House File 2422

S-5217

- 1 Amend House File 2422, as amended, passed, and  
2 reprinted by the House, as follows:
- 3 1. Page 1, line 17, by striking <or owner>
  - 4 2. Page 1, line 18, after <facility.> by inserting  
5 <For purposes of this paragraph, the approval of  
6 the administrator of the nursing facility cannot  
7 be withheld on the basis of considerations that are  
8 otherwise prohibited by state or federal law.>
  - 9 3. Page 2, lines 13 and 14, by striking <or owner>
  - 10 4. Page 2, line 14, after <facility.> by inserting  
11 <For purposes of this subsection, the approval of the  
12 administrator of the residential care facility cannot  
13 be withheld on the basis of considerations that are  
14 otherwise prohibited by state or federal law.>
  - 15 5. By striking page 2, line 15, through page 4,  
16 line 12, and inserting:  
17 <Sec. \_\_\_\_ . Section 229A.8A, subsection 5, Code  
18 2011, is amended to read as follows:  
19 5. ~~Committed~~ Except as provided in subsection 6A,  
20 committed persons in the transitional release program  
21 are not necessarily required to be segregated from  
22 other persons.  
23 Sec. \_\_\_\_ . Section 229A.8A, Code 2011, is amended by  
24 adding the following new subsection:  
25 NEW SUBSECTION. 6A. Persons in the transitional  
26 release program shall not be released to a health care  
27 facility as defined in section 135C.1.  
28 Sec. \_\_\_\_ . Section 229A.9A, Code 2011, is amended by  
29 adding the following new subsection:  
30 NEW SUBSECTION. 3A. If a release with or without  
31 supervision is ordered, the committed person shall not  
32 be released to a health care facility as defined in  
33 section 135C.1.>
  - 34 6. Page 5, line 6, by striking <or owner>
  - 35 7. Page 5, line 7, after <program.> by inserting  
36 <For purposes of this subsection, the approval of  
37 the manager of the assisted living program cannot  
38 be withheld on the basis of considerations that are  
39 otherwise prohibited by state or federal law.>
  - 40 8. Page 5, by striking lines 8 through 10.
  - 41 9. By striking page 5, line 19, through page 6,  
42 line 19.
  - 43 10. Page 8, line 9, after <appeals> by inserting <,  
44 in conjunction with the department of human services,>
  - 45 11. Page 8, line 31, by striking <deems> and  
46 inserting <and the department of human services deem>
  - 47 12. By striking page 8, line 32, through page 9,  
48 line 4.
  - 49 13. By striking page 9, line 5, through page 10,  
50 line 12, and inserting:

1 <3. The committee shall discuss and make  
2 recommendations on options to create a new facility  
3 or assist an existing facility to expand services  
4 to provide care for elderly persons who have  
5 previously been declared to be a sexually violent  
6 predator pursuant to chapter 229A. The committee  
7 shall identify the characteristics of a client  
8 for such a facility, the need for such a facility,  
9 options for creating a new facility to house such  
10 clients, options for the expansion of an existing  
11 facility to house such clients, options for using any  
12 alternative facilities for such purposes, options for  
13 a public-private partnership for such a facility,  
14 options for using part of a mental health institute  
15 to house such clients, options to qualify a facility  
16 for Medicaid reimbursement, cost projections for any  
17 recommendations, regulatory challenges, and other  
18 information deemed relevant by the department of  
19 inspections and appeals and the department of human  
20 services. The committee shall also discuss and make  
21 recommendations on the right of nursing facilities,  
22 residential care facilities, and assisted living  
23 programs to transfer or discharge a resident or tenant  
24 who has previously been declared to be a sexually  
25 violent predator.>  
26 14. By striking page 10, line 16, through page 11,  
27 line 11.  
28 15. Title page, by striking lines 1 through 4 and  
29 inserting <An Act relating to the care and housing of  
30 elderly sex offenders and sexually violent predators  
31 and including effective date provisions.>  
32 16. By renumbering as necessary.

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TOM HANCOCK